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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/053,826	01/18/2002	Jack H. Chang	CCI-006	9748

7590 05/02/2005

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EXAMINER

VU, THONG H

ART UNIT	PAPER NUMBER
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2142

DATE MAILED: 05/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/053,826

Applicant(s)

CHANG ET AL.

Examiner

Thong H Vu

Art Unit

2142

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 February 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 22-31 and 52-70 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 22-31 and 52-70 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 7/04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

1. Claims 22-31,52-70 are pending.

Response to Arguments

2. Applicant's arguments with respect to claims 22-31,52-70 have been considered but are moot in view of the new ground(s) of rejection.
3. Applicant's arguments, see pages 10-11, filed 2/16/05, with respect to the Double Patenting Rejection have been fully considered and are persuasive. The Rejection of the Double Patenting Rejection has been withdrawn.

Specification

4. The abstract of the disclosure is objected to because it's over 150 words. Correction is required. See MPEP § 608.01(b).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 22-31,52-70 are rejected under 35 U.S.C. § 103 as being anticipated by Picard et al [Picard 6,233,318 B1].

5. As per claim 52, Picard discloses a system for delivering information to a subscriber on a messaging system [Picard, a messaging system, abstract] the system comprising:

a messaging platform having means for receiving a mailbox ID and service information from a subscriber and means for requesting from a master platform information corresponding to said service information, said master platform having means for communicating with an information source, said means for communicating responsive to said means for requesting by requesting information corresponding to said service information from said information source [Picard, the platform132 with a master control unit148 and a mailbox identifier, col 15 line 31-col 16 line 45];

wherein said master platform is configured to responds to any information received from said information source by sending said information to said messaging platform [Picard, a master control unit generates a web page and transmitted to the PC142, col 16 lines 9-45]; and

wherein said messaging platform is configured to converts said information to have a delivery format corresponding to a delivery format selected by said subscriber [Picard, converting the message into the proper format and transmitting it, col 16 lines 9-45];

said messaging platform having means for providing said information in said delivery format to said subscriber when said subscriber accesses a mailbox corresponding to said mailbox ID [Picard, the platform132 with a master control unit148 and a mailbox identifier, col 15 line 31-col 16 line 45].

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate

6. As per claim 53, Picard discloses said service information includes an information type, and a delivery format [Picard, MIME compatible format, type col 9 lines 40-67].

7. As per claim 54, Picard discloses said delivery format includes a voice delivery format [Picard, some voice message, col 8 lines 10-20].

8. As per claim 55, Picard discloses said delivery format includes an email format [Picard, email message, col 8 lines 32-42].

9. As per claim 56, Picard discloses said delivery format includes a fax format [Picard, facsimile, col 8 lines 32-42].

10. As per claim 57, Picard discloses said master platform forwards said information received from said information source to said messaging platform only when said messaging platform has an in-operation status [Picard, forwarded status, col 7 lines 13-18].

11. As per claim 58, Picard discloses said in-operation status is based on said operation schedule defined for said messaging platform a voice/data line-sharing scheme, col 9 lines 28-38].

12. As per claim 61, Picard discloses said master platform converts said information received from said information source into an email format and sends said email formatted information to a mailbox supported by a messaging platform that corresponds to said mailbox ID, if an email format has been chosen as said delivery format [Picard, an email message and a mailbox identifier, col 15 line 31-col 16 line 45].

13. As per claim 59 Picard discloses said master platform delays sending said information received from said information source to said messaging platform when said messaging platform has a non-operational status [Picard, the routine checks the session information data, col 17 lines 8-60].

14. As per claim 60, Picard discloses said non-operational status is obtained when said token pool falls below a selected threshold [Picard, Notification mechanism used to alert the user, col 3 lines 49-52].

15. Claims 22-31,62-67 contain the similar limitations set forth of the apparatus claims 52-61. Therefore, claims 22-31,62-69 are rejected for the similar rationale set forth in claims 52-61.

16. Claim 70 contains the similar limitations set forth of the apparatus claim 52.

Therefore, claim 70 is rejected for the similar rationale set forth in claim 52.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Thong Vu, whose telephone number is (571)-272-3904. The examiner can normally be reached on Monday-Thursday from 8:00AM-4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, *Jack Harvey*, can be reached at (571) 272-3896. The fax number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PMR or Public PMR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Thong Vu
Patent Examiner
Art Unit 2142

A handwritten signature in black ink, appearing to read 'Thong Vu', with a horizontal line underneath.